

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2136

In re: RANDY COOPER,

Petitioner.

On Petition for Writ of Mandamus.
(3:10-cv-01119)

Submitted: December 15, 2011

Decided: December 19, 2011

Before GREGORY, SHEDD, and DAVIS, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randy Cooper, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Randy Cooper petitions for a writ of mandamus, requesting this court to compel the district court to act on his 28 U.S.C. § 2254 (2006) petition and his subsequently filed petition for a writ of mandamus and motion for injunctive relief. To the extent Cooper alleges undue delay in the ruling on his § 2254 petition, the district court's docket sheet reflects no such delay. With respect to the petition for a writ of mandamus and motion for injunctive relief, the magistrate judge recently construed the relief requested as a separate civil action under 42 U.S.C. § 1983 (2006) and transferred the matter to the United States District for the Northern District of West Virginia. We therefore deny as moot Cooper's request for mandamus relief as to those motions. Accordingly, although we grant leave to proceed in forma pauperis, we deny the mandamus petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED